

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	No. 08 CR 511
	)	Judge Rebecca R. Pallmeyer
JAVIER OCHOA and	)	
JAIME CHAVEZ	)	

**GOVERNMENT'S AGREED MOTION FOR PROTECTIVE ORDER**

The UNITED STATES OF AMERICA, by its attorney, PATRICK J. FITZGERALD, respectfully moves this Court for the entry of a protective order governing the use and dissemination of documents and other materials produced by the United States. In support of this motion, the government states as follows:

1. This matter arises out of defendants' attempt to possess with intent to distribute in excess of 5 kilograms of mixtures containing cocaine. Defendants have been charged by indictment with violations of Title 21, United States Code, Section 846 and 2 (Counts One and Two), and Title 18, United States Code, Sections 924(c)(1)(A) and 2 (Count Three). Defendant Ochoa was also charged with a violation of Title 18, United States Code, Section 922(g)(1) (Count Four).

2. With respect to both defendants, this Court ordered that the government produce Rule 16.1 materials by August 5, 2008. The government in fact produced materials on August 5, 2008, and made others available for inspection, pending the entry of an agreed protective order.

3. The government seeks the entry of a protective order governing defendants' use and dissemination of the documents and materials produced by the government. A copy of the proposed protective order has been sent to this Court's email order system.

4. The materials the government produced and made available for inspection, such as law enforcement reports and recordings are law enforcement sensitive and the property of the United States.

5. The government recognizes its obligation to produce materials to defendants. However, the government seeks to place limits on the use and dissemination of the documents and

materials in order to control who has access to them and ensure that they are properly disposed of or returned to the United States at the termination of this matter.

5. The protective order that the government seeks is not intended to, and will not, affect defendants' ability to defend this matter, nor does it limit the production the government is required to make.

6. Counsel for both Javier Ochoa and Jaime Chavez have no objection to the entry of the proposed protective order.

WHEREFORE, the UNITED STATES OF AMERICA respectfully requests that this Court enter an agreed protective order governing the use and dissemination of documents and other materials produced by the United States.

Dated: August 6, 2008

Respectfully submitted,

PATRICK J. FITZGERALD  
United States Attorney

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**CERTIFICATE OF SERVICE**

The undersigned Assistant United States Attorney hereby certifies that in accordance with Fed. R. Crim. P. 49, Fed. R. Civ. P. 5, LR5.5, and the General Order on Electronic Case Filing (ECF), the following document:

**GOVERNMENT'S MOTION FOR PROTECTIVE ORDER**

was served on August 6, 2008, pursuant to the district court's ECF system as to ECF filers.

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